

FILED

10/10/2007

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOISAPR 28 2008 *aw*
Apr 28 2008
MICHAEL W. BOBBINS
CLERK, U.S. DISTRICT COURTIN FORMA PAUPERIS APPLICATION
AND
FINANCIAL AFFIDAVITJavier Perez
Plaintiff

v.

Jennifer Witherspoon / Megan Mercado
Defendant(s)08CV2401
JUDGE SHADUR
MAG. JUDGE COX

Wherever ☐ is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT:

I, Javier Perez, declare that I am the ☒ plaintiff ☐ petitioner ☐ movant (other _____) in the above-entitled case. This affidavit constitutes my application ☐ to proceed without full prepayment of fees, or ☐ in support of my motion for appointment of counsel, or ☒ both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint/petition/motion/appeal. In support of this petition/application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Question 2)
I.D. # L127537 Name of prison or jail: Wake County Jail
Do you receive any payment from the institution? ☐ Yes ☒ No Monthly amount: _____

2. Are you currently employed? ☐ Yes ☒ No
Monthly salary or wages: _____
Name and address of employer: _____

a. If the answer is "No":
Date of last employment: N/A
Monthly salary or wages: _____
Name and address of last employer: _____

b. Are you married? ☐ Yes ☒ No
Spouse's monthly salary or wages: _____
Name and address of employer: _____

3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.

a. Salary or wages ☐ Yes ☒ No
Amount N/A Received by S

- b. ☐ Business, ☐ profession or ☐ other self-employment ☐ Yes ☒ No
Amount _____ Received by _____
- c. ☐ Rent payments, ☐ interest or ☐ dividends ☐ Yes ☒ No
Amount _____ Received by _____
- d. ☐ Pensions, ☐ social security, ☐ annuities, ☐ life insurance, ☐ disability, ☐ workers' compensation, ☐ unemployment, ☐ welfare, ☐ alimony or maintenance or ☐ child support ☐ Yes ☒ No
Amount _____ Received by _____
- e. ☐ Gifts or ☐ inheritances ☐ Yes ☒ No
Amount _____ Received by _____
- f. ☐ Any other sources (state source: _____) ☐ Yes ☒ No
Amount _____ Received by _____
4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? ☐ Yes ☒ No Total amount: _____
In whose name held: _____ Relationship to you: _____
5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? ☐ Yes ☒ No
Property: _____ Current Value: _____
In whose name held: _____ Relationship to you: _____
6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? ☐ Yes ☒ No
Address of property: _____
Type of property: _____ Current value: _____
In whose name held: _____ Relationship to you: _____
Amount of monthly mortgage or loan payments: _____
Name of person making payments: _____
7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? ☐ Yes ☒ No
Property: _____
Current value: _____
In whose name held: _____ Relationship to you: _____
8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here ☒ No dependents

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date: 4.17.08

X [Signature]
Signature of Applicant
Javier Perez
(Print Name)

NOTICE TO PRISONERS: A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

I certify that the applicant named herein, Javier Perez, I.D.# L127537, has the sum of \$ 0.12 on account to his/her credit at (name of institution) Lake County Jail.

I further certify that the applicant has the following securities to his/her credit: 0. I further certify that during the past six months the applicant's average monthly deposit was \$ 87.18.

(Add all deposits from all sources and then divide by number of months).

4/18/08
DATE

[Signature]
SIGNATURE OF AUTHORIZED OFFICER
Mary Colon
(Print name)

Cash History Report101 - Inmate AccountL127537: PEREZ, JAVIER: Balance=\$0.12

Transaction Type	Amount	Date	Description	Balance After Transaction
Deposit	\$0.00	10/20/2007 1:28:37AM	NO CASH	\$ 0.00
Deposit	\$20.00	10/20/2007 6:32:37PM	02 MO 4171	\$ 20.00
Deposit	\$40.00	10/21/2007 12:37:14PM	02 MO 4240	\$ 60.00
Withdrawal	\$21.35	10/23/2007 8:21:33AM	Commissary Sale	\$ 38.65
Withdrawal	(\$3.15)	10/23/2007 3:11:05PM	Commissary Return	\$ 41.80
Withdrawal	\$23.67	10/26/2007 8:15:24AM	Commissary Sale	\$ 18.13
Withdrawal	\$17.83	10/30/2007 7:22:36AM	Commissary Sale	\$ 0.30
Deposit	\$20.00	11/4/2007 3:10:48PM	02 MO 3650	\$ 20.30
Withdrawal	\$5.85	11/5/2007 12:33:25PM	Commissary Sale	\$ 14.45
Withdrawal	\$13.86	11/8/2007 8:11:45AM	Commissary Sale	\$ 0.59
Deposit	\$20.00	11/8/2007 1:05:17PM	02 MO5865	\$ 20.59
Withdrawal	\$16.80	11/12/2007 6:42:32AM	Commissary Sale	\$ 3.79
Deposit	\$20.00	11/12/2007 10:30:10AM	02 MO 7220	\$ 23.79
Withdrawal	\$21.19	11/15/2007 7:47:26AM	Commissary Sale	\$ 2.60
Deposit	\$20.00	11/18/2007 4:17:50PM	02 MO 4467	\$ 22.60
Withdrawal	\$17.10	11/19/2007 1:55:56PM	Commissary Sale	\$ 5.50
Withdrawal	\$5.11	11/23/2007 7:59:29AM	Commissary Sale	\$ 0.39
Deposit	\$40.00	11/30/2007 8:06:30PM	02MO4555	\$ 40.39
Withdrawal	\$39.26	12/3/2007 8:33:39AM	Commissary Sale	\$ 1.13
Deposit	\$20.00	12/10/2007 6:50:58PM	02- MO6762	\$ 21.13
Deposit	\$40.00	12/11/2007 4:18:00PM	02MO5591	\$ 61.13
Withdrawal	\$31.72	12/13/2007 7:56:26AM	Commissary Sale	\$ 29.41
Withdrawal	\$27.09	12/17/2007 8:42:29AM	Commissary Sale	\$ 2.32
Withdrawal	\$2.31	12/20/2007 8:10:01AM	Commissary Sale	\$ 0.01
Deposit	\$30.00	12/26/2007 4:02:25PM	02 MO2041	\$ 30.01
Withdrawal	\$14.09	12/27/2007 8:20:33AM	Commissary Sale	\$ 15.92
Withdrawal	\$14.85	12/31/2007 7:24:17AM	Commissary Sale	\$ 1.07

Transaction Type	Amount	Date	Description	Balance After Transaction
Withdrawal	\$0.99	1/3/2008 8:06:41AM	Commissary Sale	\$ 0.08
Deposit	\$19.05	1/6/2008 3:33:06PM	02 MO 3434	\$ 19.13
Withdrawal	\$9.47	1/7/2008 7:52:01AM	Commissary Sale	\$ 9.66
Withdrawal	\$8.98	1/10/2008 7:46:35AM	Commissary Sale	\$ 0.68
Withdrawal	(\$3.00)	1/10/2008 2:58:06PM	Commissary Return	\$ 3.68
Withdrawal	\$3.00	1/11/2008 7:17:20AM	Commissary Sale	\$ 0.68
Deposit	\$30.00	1/11/2008 3:59:12PM	02 MO 8451	\$ 30.68
Withdrawal	\$21.55	1/14/2008 8:09:05AM	Commissary Sale	\$ 9.13
Withdrawal	\$8.95	1/17/2008 7:51:54AM	Commissary Sale	\$ 0.18
Deposit	\$19.05	1/20/2008 3:16:43PM	02 MO6485	\$ 19.23
Withdrawal	\$8.19	1/21/2008 8:08:18AM	Commissary Sale	\$ 11.04
Withdrawal	\$8.14	1/24/2008 7:25:22AM	Commissary Sale	\$ 2.90
Withdrawal	\$2.90	1/24/2008 1:24:10PM	Commissary Sale	\$ 0.00
Deposit	\$30.00	1/31/2008 1:25:43PM	02 MO8515	\$ 30.00
Withdrawal	\$18.77	2/1/2008 7:39:08AM	Commissary Sale	\$ 11.23
Deposit	\$20.00	2/3/2008 3:15:05PM	02 MO8619	\$ 31.23
Withdrawal	\$12.89	2/4/2008 8:04:03AM	Commissary Sale	\$ 18.34
Withdrawal	\$9.53	2/7/2008 7:35:54AM	Commissary Sale	\$ 8.81
Withdrawal	\$3.80	2/11/2008 8:30:11AM	Commissary Sale	\$ 5.01
Withdrawal	\$4.46	2/14/2008 8:16:57AM	Commissary Sale	\$ 0.55
Deposit	\$15.00	2/17/2008 4:22:40PM	02 MO 4092	\$ 15.55
Withdrawal	\$10.70	2/19/2008 7:13:18AM	Commissary Sale	\$ 4.85
Withdrawal	\$4.20	2/19/2008 7:18:34AM	Commissary Sale	\$ 0.65
Withdrawal	(\$2.65)	2/20/2008 8:19:58AM	Commissary Return	\$ 3.30
Deposit	\$20.00	2/20/2008 7:38:05PM	02MO 3407	\$ 23.30
Withdrawal	\$17.35	2/22/2008 6:55:38AM	Commissary Sale	\$ 5.95
Withdrawal	\$5.90	2/22/2008 10:22:31AM	Commissary Sale	\$ 0.05
Deposit	\$30.00	3/2/2008 4:47:00PM	02- MO4639	\$ 30.05
Deposit	\$30.00	3/3/2008 8:58:49PM	02 MO6793	\$ 60.05
Withdrawal	\$24.92	3/4/2008 9:03:48AM	Commissary Sale	\$ 35.13
Withdrawal	\$6.65	3/4/2008 2:58:31PM	Commissary Sale	\$ 28.48
Withdrawal	\$17.84	3/5/2008 8:27:15AM	Commissary Sale	\$ 10.64
Withdrawal	(\$2.50)	3/6/2008 7:22:14AM	Commissary Return	\$ 13.14
Withdrawal	\$12.89	3/7/2008 7:54:31AM	Commissary Sale	\$ 0.25

Transaction Type	Amount	Date	Description	Balance After Transaction
Withdrawal	\$0.26	3/11/2008 7:53:48AM	Commissary Sale	\$ 0.00
Deposit	\$15.00	3/17/2008 9:14:55PM	02 MO8120	\$ 15.00
Withdrawal	\$14.65	3/18/2008 7:45:28AM	Commissary Sale	\$ 0.35
Deposit	\$25.00	3/27/2008 8:09:47PM	02 MO 7745	\$ 25.35
Withdrawal	\$9.97	3/28/2008 6:22:14AM	Commissary Sale	\$ 15.38
Withdrawal	\$8.01	4/1/2008 7:05:39AM	Commissary Sale	\$ 7.37
Withdrawal	\$5.77	4/8/2008 7:10:46AM	Commissary Sale	\$ 1.60
Withdrawal	(\$0.60)	4/8/2008 7:37:20AM	Commissary Return	\$ 2.20
Withdrawal	(\$0.60)	4/10/2008 7:11:15AM	Commissary Return	\$ 2.80
Withdrawal	\$1.17	4/11/2008 6:57:57AM	Commissary Sale	\$ 1.63
Withdrawal	\$1.17	4/15/2008 7:08:46AM	Commissary Sale	\$ 0.46
Withdrawal	\$0.34	4/18/2008 6:18:17AM	Commissary Sale	\$ 0.12